



STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

DEPARTMENT OF EDUCATION
RYAN M. WISE, DIRECTOR

Response to DE Employee Request for Consent to Sell

Employee Name and Job Title: Brad Niebling, Bureau Chief

Division, Bureau: Division of Learning and Results, Bureau of Learner Strategies and Supports

Date of Request: 7/10/17

Date of Agency Determination: 7/20/17

Determination¹: Consent granted without condition

Summary of Request and Rationale for Determination:

Brad Niebling seeks permission to sell the service of participation on a panel to help perform a process for obtaining expert input to define "minimal proficiency" in the areas of Math and Reading as part of a dissertation study for the University of Memphis. Mr. Niebling's participation would be during after work hours or on weekends from July 17, 2017 until October 31, 2017.

As a secondary institution located outside the state of Iowa, University of Memphis is not regulated by the Iowa Department of Education (IDE). Nor does the IDE have a cooperative or business relationship with the University of Memphis that would create a conflict.

Therefore, the sale of the service of being a panelist for the University of Memphis will not cause Mr. Niebling to advocate on behalf of any entity, does not benefit or prejudice any regulated person or entity, and does not result in a conflict of interest per section 68B.2A.

¹ If the determination is a denial or a conditional consent, the employee may file an appeal with the Iowa Ethics and Campaign Disclosure Board pursuant to rule 351—IAC 6.11(6).

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DE Employee Request for Consent to Sell (See second page for Instructions)

Employee Name Bradley Niebling Date 7/10/17

Job Title at DE Bureau Chief

Division, Bureau at DE Division of Learning and Results, Bureau of Learner Strategies and Supports

Immediate Supervisor at DE David Tilly

Proposed outside employer University of Memphis

Proposed services to sell to outside employer (E.g., if teaching classes, which classes, graduate or undergraduate level) Membership on expert panel to help perform a process for obtaining expert input to define "minimal proficiency" in the areas of math and reading as part of a dissertation study.

How will selling this service not conflict with your DE duties? The services I will be providing are outside the state of Iowa for an entity that is not one that the Iowa Department of Education regulates. This will occur after work hours. Dates of service: 7/17/17 - 10/31/17

X I certify that I have the permission of my DE supervisor, above named, to make this request of the Department of Education.

Bradley Niebling
Signature of Employee

[Signature] 7/13/17
Signature of Employee's DE Supervisor

RECEIVED

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Nicole

Instructions:

The DE is a regulatory agency, as so defined in Iowa Code chapter 68B. This is the chapter of laws regarding ethical conduct of state agencies and state employees. As DE employees, we are prohibited from selling any goods or services (such as the service of teaching a class) to any person or entity that the DE regulates (such as, but not limited to, LEAs, AEAs, Community Colleges, and IHEs that offer practitioner preparation programs) without the prior written consent of the DE.

This is the form to be filled out by the DE employee who seeks such permission. In the space for explaining how selling the proposed service will not conflict with your DE duties, DO NOT state that this is "after hours." This form assumes that the DE employee is not performing the outside work during DE hours. The purpose of the law is to assure the public that no regulated entity is either benefitting or hurt by hiring a DE employee to perform some service for the entity. So, please explain how your DE duties relate to the proposed outside employer. Examples are on the Ethics Board's Web site at <http://www.iowa.gov/ethics/ethics/consents/education/education.htm>.